

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ELIOT I. BERNSTEIN, INDIVIDUALLY,  
et. al.

Plaintiffs,

-against-

**AFFIDAVIT OF SERVICE**

**Docket No.: 07 CV 11196**

APPELLATE DIVISION, FIRST DEPARTMENT,  
et. al.

Defendants.

STATE OF NEW YORK )  
 ) ss:  
COUNTY OF NASSAU )

Carolyn A. Best, being duly sworn, deposes and says:

That deponent is not a party to this action, is over 18 years of age and resides at Westbury, New York.

That on the 30<sup>th</sup> day of May, 2008 deponent served the **NOTICE OF CROSS-MOTION WITH AFFIDAVIT** upon:

Eliot I. Bernstein  
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Red Bluff, CA 96080

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Plaintiff Pro-Se  
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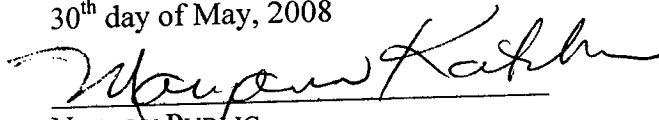
Glenn, T. Burhans, Jr., Esq.  
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by depositing a true copy of same enclosed in a post-paid, properly addressed wrapper, in  
a post-office/official depository under the exclusive care and custody of the United States  
Postal Service within the State of New York

  
CAROLYN A. BEST

Sworn to before me this  
30<sup>th</sup> day of May, 2008

  
NOTARY PUBLIC

MARYANN KATCHEN  
NOTARY PUBLIC, STATE OF NEW YORK  
NO. 4881017  
QUALIFIED IN QUEENS COUNTY  
CERTIFICATE FILED IN NASSAU COUNTY  
COMMISSION EXPIRES 4/27/11